

REMARKS

This amendment is in response to the Final Office Action dated July 19, 2010 (the "Office Action"). Claims 11-20, 40-50, 69-78, and 87-90 are pending in the application. Claims 11, 40, 41, 69-71, 73-78, and 87-89 have been amended. No new matter has been added. Support for the amendments to the claims may be found in the specification at least in paragraphs [0100] and [0123] as presented in U.S. Patent Application Publication 2004/0268401.

Claims 11, 15-20, 40, 41, 45-50, 69, 73-78, 87, and 88-90 are Allowable

The Office rejected claims 11, 15-20, 40, 41, 45-50, 69, 73-78, 87, and 88-90, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,571,392 ("Zigmond") in view of U.S. Patent No. 6,240,555 ("Shoff"). Applicants respectfully traverse the rejections.

Claims 11, 15-20, 89, and 90

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 11. For example, the cited portions of the above-cited references fail to disclose or suggest "determining when a specified portion of the alternate content is sent to the terminal device, wherein the specified portion is less than all of the alternate content; [and] inserting a hot key signal into the content signal ... after the specified portion of the alternate content has been sent to the terminal device," as in claim 11.

Zigmond describes information from an information source that is supplied to a display device along with video content when a triggering event occurs. The information may be retrieved from a cache of a receiver device or from the internet. An information resource, if successfully received, is stored in a local storage of a receiver unit in association with its URL. At an appropriate time during a television video, the URI information of the information resource is transmitted to a receiver unit. The URI is a trigger, or is part of a trigger, that instructs the receiver unit to display the designated information resource. The receiver unit retrieves the information resource from the local storage when in the local storage or from the Internet when not stored in the local storage. *See* Zigmond, Abstract and col. 7, lines 18-34. Zigmond describes a system that determines whether the information source is stored in the local storage. The cited portions of Zigmond do not disclose or suggest determining when a specified

portion of alternate content, which is less than all of the alternate content, is sent to a terminal device and inserting a hot key signal into a content signal when the specified portion of alternate content has been sent to the terminal device. Therefore, the cited portions of Zigmond fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device, wherein the specified portion is less than all of the alternate content; [and] inserting a hot key signal into the content signal ... after the specified portion of the alternate content has been sent to the terminal device,” as in claim 11.

Shoff describes an interactive entertainment system that enables presentation of supplemental interactive content alongside traditional broadcast video programs. The supplemental interactive content is provided as part of the same program signal over the broadcast network, or separately over another distribution network, such as the internet. Shoff describes presentation of a button that indicates the supplemental interactive content. When a user selects the button, the supplemental interactive content is displayed. *See* Shoff, Abstract, FIGS. 8b-8c, and col. 11, line 41 through col. 12, line 23. Shoff describes providing a button that allows retrieval from the internet of supplemental alternate content when the button is selected. The cited portions of Shoff do not disclose or suggest determining when a specified portion of supplemental alternate content has been sent to a terminal device, where the specified portion is less than all of the alternate content. The cited portions of Shoff also do not disclose or suggest inserting a hot key signal into a content signal after the specified portion of the alternate content has been sent to the terminal device. Therefore, the cited portions of Shoff fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device, wherein the specified portion is less than all of the alternate content; [and] inserting a hot key signal into the content signal ... after the specified portion of the alternate content has been sent to the terminal device,” as in claim 11.

Therefore, the cited portions of Zigmond and Shoff, individually or in combination, fail to disclose or suggest at least one element of claim 11. Hence, claim 11 is allowable. Claims 15-20, 89, and 90 are allowable, at least by virtue of their dependence from claim 11.

Claims 40 and 45-50

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 40. For example, the cited portions of the above-cited references fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40.

Zigmond describes information from an information source that is supplied to a display device along with video content when a triggering event occurs. The information may be retrieved from a cache of a receiver device or from the internet. An information resource, if successfully received, is stored in a local storage of a receiver unit in association with its URL. At an appropriate time during a television video, the URI information of the information resource is transmitted to a receiver unit. The URI is a trigger, or is part of a trigger, that instructs the receiver unit to display the designated information resource. The receiver unit retrieves the information resource from the local storage when in the local storage or from the Internet when not stored in the local storage. *See* Zigmond, Abstract and col. 7, lines 18-34. The Office states “Zigmond teaches these limitations at Column 7, Lines 21-24 where the transmission device determines the appropriate time to transmit the hot key signal (information identifier) to the user, therefore determining that the hot key signal is relevant to the user.” *See* Office Action, page 9, line 21 through page 10, line 2 (emphasis in original). An “appropriate time” is a particular time in a television video. *See* Zigmond col. 2, lines 45-48. Displaying the information identifier at the appropriate time describes or suggests a display of the information identifier at a particular time in a television video. The appropriate time of Zigmond appears to be independent of the user. Thus, the cited portions of Zigmond do not disclose or suggest determining whether a hot key signal is relevant to the user. Therefore, the cited portions of Zigmond fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40.

Shoff describes an interactive entertainment system that enables presentation of supplemental interactive content alongside traditional broadcast video programs. The

supplemental interactive content is provided as part of the same program signal over the broadcast network, or separately over another distribution network, such as the internet. Shoff describes presentation of at least one button that indicates supplemental interactive content. The at least one button is presented when a user chooses an interactive mode. When the user selects a particular button, supplemental interactive content corresponding to the button is displayed. *See* Shoff, Abstract, FIGS. 8b-8c, and col. 10, line 59 through col. 12, line 23. The cited portions of Shoff do not disclose or suggest presenting the button to a user when the button is determined to be relevant to the user. Therefore, the cited portions of Shoff fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40.

Therefore, the cited portions of Zigmond and Shoff, individually or in combination, fail to disclose or suggest at least one element of claim 40. Hence, claim 40 is allowable. Claims 45-50 are allowable, at least by virtue of their dependence from claim 40.

Claims 69, 73-78, and 87

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 69. For example, the cited portions of the above-cited references fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the user based on a selection history of the user,” as in claim 69.

Zigmond describes information from an information source that is supplied to a display device along with video content when a triggering event occurs. The information may be retrieved from a cache of a receiver device or from the internet. An information resource, if successfully received, is stored in a local storage of a receiver unit in association with its URL. At an appropriate time during a television video, the URI information of the information resource is transmitted to a receiver unit. The URI is a trigger, or is part of a trigger, that instructs the receiver unit to display the designated information resource. The receiver unit retrieves the information resource from the local storage when in the local storage or from the Internet when not stored in the local storage. *See* Zigmond, Abstract and col. 7, lines 18-34. The Office states “Zigmond teaches these limitations at Column 7, Lines 21-24 where the

transmission device determines the appropriate time to transmit the hot key signal (information identifier) to the user, therefore determining that the hot key signal is relevant to the user.” See Office Action, page 9, line 21 through page 10, line 2 (emphasis in original). An “appropriate time” is a particular time in a television video. See Zigmond col. 2, lines 45-48. Displaying the information identifier at the appropriate time describes or suggests a display of the information identifier at a particular time in a television video. The appropriate time of Zigmond appears to be independent of the user. Thus, the cited portions of Zigmond do not disclose or suggest determining whether a hot key signal is relevant to the user based on a selection history of the user. Therefore, the cited portions of Zigmond fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the user based on a selection history of the user,” as in claim 69.

Shoff describes an interactive entertainment system that enables presentation of supplemental interactive content alongside traditional broadcast video programs. The supplemental interactive content is provided as part of the same program signal over the broadcast network, or separately over another distribution network, such as the internet. Shoff describes presentation of at least one button that indicates supplemental interactive content. The at least one button is presented when a user chooses an interactive mode. When the user selects a particular button, supplemental interactive content corresponding to the button is displayed. See Shoff, Abstract, FIGS. 8b-8c, and col. 10, line 59 through col. 12, line 23. The cited portions of Shoff do not disclose or suggest presenting the button to a user when the button is determined to be relevant to the user. Therefore, the cited portions of Shoff fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the user based on a selection history of the user,” as in claim 69.

Therefore, the cited portions of Zigmond and Shoff, individually or in combination, fail to disclose or suggest at least one element of claim 69. Hence, claim 69 is allowable. Claims 73-78 and 87 are allowable, at least by virtue of their dependence from claim 69.

Claims 12, 13, 42, 43, 70, and 71 are Allowable

The Office rejected claims 12, 13, 42, 43, 70, and 71, under 35 U.S.C. §103(a), as being unpatentable over Zigmond, in view of Shoff, and further in view of U.S. Patent No. 6,477,579 (“Kunkel”). Applicants respectfully traverse the rejections.

Claims 12 and 13

Claims 12 and 13 depend from claim 11. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 11. The cited portions of Kunkel fail to disclose or suggest the elements of claim 11 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Kunkel fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device, wherein the specified portion is less than all of the alternate content; [and] inserting a hot key signal into the content signal ... after the specified portion of the alternate content has been sent to the terminal device,” as in claim 11. Kunkel describes providing interactive access to an information source through a networked distribution system. The information source may be determined based on information supplied or generated by a provider of video content. *See* Kunkel, Abstract, and col. 4, line 43 through col. 5, line 7. The cited portions of Kunkel do not disclose or suggest determining when a specified portion of supplemental alternate content has been sent to a terminal device, where the specified portion is less than all of the alternate content. The cited portions of Kunkel also do not disclose or suggest inserting a hot key signal into a content signal after the specified portion of the alternate content has been sent to the terminal device. Therefore, the cited portions of Zigmond, Shoff, and Kunkel, individually or in combination, fail to disclose or suggest at least one element of claim 11, from which claims 12 and 13 depend. Hence, claims 12 and 13 are allowable, at least by virtue of their dependence from claim 11.

Claims 42 and 43

Claims 42 and 43 depend from claim 40. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 40. The cited portions of Kunkel fail to disclose or suggest the elements of claim 40 not disclosed or suggested

by the cited portions of Zigmond and Shoff. For example, the cited portions of Kunkel fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40. Kunkel describes providing interactive access to an information source through a networked distribution system. The information source may be determined based on information supplied or generated by a provider of video content. *See* Kunkel, Abstract, and col. 4, line 43 through col. 5, line 7. The cited portions of Kunkel do not disclose or suggest providing an on-screen image to a user when the on-screen image is determined to be relevant to the user. Therefore, the cited portions of Zigmond, Shoff, and Kunkel, individually or in combination, fail to disclose or suggest at least one element of claim 40, from which claims 42 and 43 depend. Hence, claim 42 and 43 are allowable, at least by virtue of their dependence from claim 40.

Claims 70 and 71

Claims 70 and 71 depend from claim 69. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 69. The cited portions of Kunkel fail to disclose or suggest the elements of claim 69 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Kunkel fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the user based on a selection history of the user,” as in claim 69. Kunkel describes providing interactive access to an information source through a networked distribution system. The information source may be determined based on information supplied or generated by a provider of video content. *See* Kunkel, Abstract, and col. 4, line 43 through col. 5, line 7. The cited portions of Kunkel do not disclose or suggest displaying an on-screen image when the on-screen image is determined to be relevant to a particular user based on a selection history of the particular user. Therefore, the cited portions of Zigmond, Shoff, and Kunkel, individually or in combination, fail to disclose or suggest at least one element of claim 69, from which claims 70 and 71 depend. Hence, claims 70 and 71 are allowable, at least by virtue of their dependence from claim 69.

Claims 14, 44, and 72 are Allowable

The Office rejected claims 14, 44, and 72, under 35 U.S.C. §103(a), as being unpatentable over Zigmond, in view of Shoff, and further in view of U.S. Patent No. 7,337,457 (“Pack”). Applicants respectfully traverse the rejections.

Claim 14

Claim 14 depends from claim 11. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 11. The cited portions of Pack fail to disclose or suggest the elements of claim 11 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Pack fail to disclose or suggest “determining when a specified portion of the alternate content is sent to the terminal device, wherein the specified portion is less than all of the alternate content; [and] inserting a hot key signal into the content signal ... after the specified portion of the alternate content has been sent to the terminal device,” as in claim 11. Pack describes providing and obtaining product information shown in video content by accessing a web site address provided along with the video content. *See* Pack, Abstract. The cited portions of Pack do not disclose or suggest determining when a specified portion of supplemental alternate content has been sent to a terminal device, where the specified portion is less than all of the alternate content. The cited portions of Pack also do not disclose or suggest inserting a hot key signal into a content signal after the specified portion of the alternate content has been sent to the terminal device. Therefore, the cited portions of Zigmond, Shoff, and Pack, individually or in combination, fail to disclose or suggest at least one element of claim 11, from which claim 14 depends. Hence, claim 14 is allowable, at least by virtue of its dependence from claim 11.

Claim 44

Claim 44 depends from claim 40. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 40. The cited portions of Pack fail to disclose or suggest the elements of claim 40 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Pack fail to disclose or suggest “wherein the hot key signal causes instructions to present for display an on-screen image overlaid on a television program that is displayed based on the content signals when the hot key signal is determined to be relevant to the user,” as in claim 40. Pack describes providing and obtaining

product information shown in video content by accessing a web site address provided along with the video content. *See Pack, Abstract.* Pack describes providing a web site address for all identified products in the video content without any determination of relevance of the identified products to the user. The cited portions of Pack do not disclose or suggest providing the on-screen image to a user when the on-screen image is determined to be relevant to the user. Therefore, the cited portions of Zigmond, Shoff, and Pack, individually or in combination, fail to disclose or suggest at least one element of claim 40, from which claim 44 depends. Hence, claim 44 is allowable, at least by virtue of its dependence from claim 40.

Claim 72

Claim 72 depends from claim 69. As explained above, the cited portions of Zigmond and Shoff fail to disclose or suggest at least one element of claim 69. The cited portions of Pack fail to disclose or suggest the elements of claim 69 not disclosed or suggested by the cited portions of Zigmond and Shoff. For example, the cited portions of Pack fail to disclose or suggest “wherein the on-screen image is displayed when the hot key signal is determined to be relevant to the user based on a selection history of the user,” as in claim 69. Pack describes providing and obtaining product information shown in video content by accessing a web site address provided along with the video content. *See Pack, Abstract.* The cited portions of Pack do not disclose or suggest displaying an on-screen image when the on-screen image is determined to be relevant to a particular user based on a selection history of the particular user. Therefore, the cited portions of Zigmond, Shoff, and Pack, individually or in combination, fail to disclose or suggest at least one element of claim 69, from which claim 72 depends. Hence, claim 72 is allowable, at least by virtue of its dependence from claim 69.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

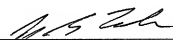
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited references, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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